

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 25794 PERMIT 18014 LICENSE

ORDER CORRECTING THE DESCRIPTION
OF THE PLACE OF USE

WHEREAS:

1. Permit 18014 was issued to Chevron U.S.A., Inc. on September 5, 1980 pursuant to Application 25794.
2. Permit 18014 was subsequently assigned to Chevron Geothermal Company of California.
3. A request to correct the description of the place of use under said permit has been filed with the State Water Resources Control Board (Board).
4. The State Water Resources Control Board has determined that said correction in the description of the place of use will not initiate a new right nor operate to the injury of any other lawful user of the water and that good and sufficient cause has been shown for said correction.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 4, the place of use under Permit 18014 be described as follows:

Geothermal zone overlay covering about 6,680 acres within Sections 26 through 35, T16S, R14E; Sections 25 and 36, T16S, R13E; and Sections 2 through 6 and Sections 9 through 11, T17S, R14E, all in SBB&M.

Dated: **NOVEMBER 06 1991**

Ed C. Anton
Edward C. Anton, Chief
Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 25794

PERMIT 18014

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT

WHEREAS:

1. Permit 18014 was issued to Chevron U.S.A., Inc. on September 5, 1980 pursuant to Application 25794.
2. Permit 18014 was subsequently assigned to Chevron Geothermal Company of California.
3. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board (Board).
4. The permittee has proceeded with diligence and good cause has been shown for said extension of time.
5. Permit Condition 12 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 9 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 1995

(0000009)

2. Condition 12 of the permit be amended to read:

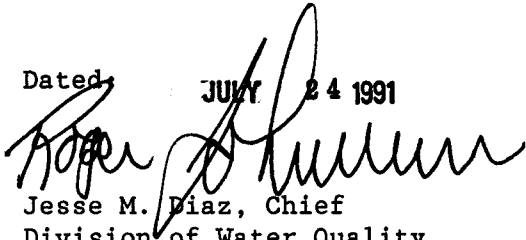
Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5)

controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

Dated: JULY 24 1991

for 
Jesse M. Diaz, Chief
Division of Water Quality
and Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 18014

Application 25794 of Chevron U.S.A., Inc.

(over)

P.O. Box 3722, San Francisco, California 94119

filed on July 20, 1978, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Tributary to:

New River

Salton Sea

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridian
N200 ft. and E300 ft. from S $\frac{1}{4}$ corner of Section 5 (Clark Road)	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	5	17S	14E	SB

County of Imperial

3. Purpose of use:	4. Place of use:	Section	Town- ship	Range	Base and Meridian	Acres
Industrial	Geothermal zone overlay covering about 6,680 acres within Sections 26 through 35, T16S, R14W; Sections 25 and 36, T16S, R13E; and Sections 2 through 6 and Sections 9 through 11, T17S, R14E, All in SBB&M					

The place of use is shown on map filed with the State Water Resources Control Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 69 cubic feet per second to be diverted from January 1 to December 31 of each year. The maximum amount diverted under this permit shall not exceed 50,000 acre-feet per year. (0000005)

6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (0000006)

7. Actual construction work shall begin within two years from date of permit and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked. (0000007)

8. Construction of diversion works and power plants shall be completed by December 1, 1989. (0000008)

9. Complete application of the water to the proposed use shall be made by December 1, 1990. (0000009)

10. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued. (0000010)

11. Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)

12. Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. (0000012)

13. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. (0000013)

14. To the extent that water available for use under this permit is return flow, imported water, or wastewater, this permit shall not be construed as giving any assurance that such supply will continue. (0000025)

15. The total amount of water diverted under permits issued pursuant to applications 25794 and 25818 shall be for use at the Heber Unit area and shall not exceed either a rate of 69 cubic feet per second (computed as an average in any 30 day period) or 50,000 acre-feet per water year of October 1 through September 30. Water used by San Diego Gas and Electric Company shall be under authority of permit issued pursuant to application 25818, whether diverted at Clark Road or at Drew Road, notwithstanding the fact that the diversion works may be owned by others. (0000114)

16. In accordance with Section 1603 and/or Section 6100 of the Fish and Game Code, no water shall be diverted under this permit until the Department of Fish and Game has determined that measures necessary to protect fishlife in the vicinity of the diversion works have been incorporated into the plans and construction of such diversion. The construction, operation, or maintenance costs of any facility required pursuant to this provision shall be borne by the permittee. (0000063)

17. Prior to diversion of water under this permit, permittee shall submit for Board approval a study showing the minimum flow quantity, or other measurable standard related to quantity, required to protect aquatic habitat in New River. The study shall show how the diversions will be managed to avoid reducing flow in the river to a point where it would adversely affect aquatic habitat. No water shall be diverted under the permit until the plan has been approved by the Board. (0360999)

18. The Board reserves jurisdiction to include in the permits specific mitigation measures, if found necessary, through evaluation of the study required in 17. Notice to the permittee and opportunity for hearing shall be provided before exercise by the Board of this reserved jurisdiction. (0000600)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: SEPTEMBER 5 1980

STATE WATER RESOURCES CONTROL BOARD

L. C. Spencer, for
Chief, Division of Water Rights

P18014

4-30-82 asgd to Chevron Geothermal Company of
Calif.

1-6-92 asgd to Heter Field Company